

REMARKS

Claims 72-104 are currently pending in the application. Withdrawal of the election of species is hereby acknowledged. Reconsideration of the claims in view of the above amendments and following remarks is respectfully requested.

Rejection Under 35 U.S.C. §112, first paragraph

Claims 72-104 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. According to the Office Action, the recitation of “supplementary bioactive agent” is unclear. Additionally, the Office Action states that biocompatible polymer is not considered a bioactive agent in the chemical arts.

For clarity, the claims are amended above to remove the phrase “supplementary bioactive agent selected from” such that the bone-enhancing composite of the invention, as recited in amended claim 1, comprises synthetic apatite and at least one of a “biocompatible bioactive polymer and an anti-resorptive agent.” Examples of biocompatible polymers are listed on page 15 of the specification at lines 26-32. That the polymer is bioactive means that it can modulate the physical and biological properties of the environment, for example, crystallinity, surface adhesion etc. (see page 15 lines 21-25). An example of a bioactive polymer is heparin, heparin derivative or heparin mimetic.

Support for a bone-enhancing composition comprising synthetic apatite wherein the synthetic apatite comprises, among other things, “...at least one amino acid...” can be found in the specification at page 26, line 25.

Thus, the application contains an adequate written description from which one of skill in the art would conclude that Applicant was in possession of the invention at the time the application was filed. Withdrawal of the rejection under 35 U.S.C. §112, first paragraph is respectfully requested.

It is respectfully submitted that the above-identified application is now in a condition for allowance and favorable reconsideration and prompt allowance of these claims are respectfully requested. Should the Examiner believe that anything further is desirable in order to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Kathy Smith Dias", written over a solid horizontal line.

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